

## NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council or the Attorney General. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Register* after the final rules have been submitted for filing and publication.

### NOTICE OF FINAL RULEMAKING

#### TITLE 15. REVENUE

#### CHAPTER 7. DEPARTMENT OF REVENUE BINGO SECTION

#### PREAMBLE

- |                                    |                                 |
|------------------------------------|---------------------------------|
| <b>1. <u>Sections Affected</u></b> | <b><u>Rulemaking Action</u></b> |
| R15-7-213                          | Amend                           |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**  
Authorizing statute: A.R.S. § 5-402  
Implementing statutes: A.R.S. §§ 5-402 and 5-406
- 3. The effective date of the rules:**  
July 17, 2001
- 4. A list of all previous notices appearing in the Register addressing the final rule:**  
Notice of Rulemaking Docket Opening: 6 A.A.R. 4123, October 27, 2000  
Notice of Proposed Rulemaking: 7 A.A.R. 6, January 5, 2001
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
- |            |   |
|------------|---|
| Name:      | Jim Bilski, Tax Analyst   |
| Address:   | Tax Research and Analysis Section<br>Arizona Department of Revenue<br>1600 W. Monroe<br>Phoenix, AZ 85007 |
| Telephone: | (602) 542-4672  |
| Fax:       | (602) 542-4680  |
| E-mail:    | BilskiJ@revenue.state.az.us   |
- 6. An explanation of the rule, including the agency's reasons for initiating the rule:**  
The rule provides guidance in the verification of winning bingo cards. The proposed amendment provides that the use of bingo equipment manufactured to automatically verify bingo patterns may be used as an alternative to the verification of winning bingo patterns. The proposed amendment provides greater flexibility for bingo licensees in conducting bingo games. Portions of the rule are also rewritten to provide additional clarity. The Department is initiating the rulemaking as a result of criticism from bingo licensees.
- 7. Reference to any study that the agency relied on in its evaluation of or justification for the final rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**  
None
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**  
Not applicable

*Arizona Administrative Register*  
**Notices of Final Rulemaking**

---

**9. The summary of the economic, small business, and consumer impact:**

It is expected that the benefits of the amended rule will be greater than the costs. The amendment of this rule will benefit the public by providing for the use of bingo equipment to automatically verify winning bingo patterns. This is intended to increase the speed of the verification process to allow more games to be conducted, or allow the games to be conducted in a shorter period of time. It may also increase accuracy of the verification of winning bingo patterns. This rule only provides guidance in the application of the statute. The statute provides for the game of bingo and provides that the Department may supervise its administration and amend rules governing the operating and conducting of games of bingo and the purchase of equipment. The Department of Revenue, the Governor's Regulatory Review Council, and the Secretary of State's Office will incur the costs associated with the rulemaking process. Bingo licensees that choose to use machine verification equipment may incur the cost of purchasing the equipment but the rule does not require this equipment.

**10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

Minor technical and grammatical changes were made in response to suggestions from Council staff.

**11. A summary of the principal comments and the agency response to them:**

The Department did not receive any written or verbal comments on the rule action after publication of the Notice of Proposed Rulemaking.

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

None

**13. Incorporations by reference and their location in the rules:**

None

**14. Was the rule previously adopted as an emergency rule?**

No

**15. The full text of the rules follows:**

**TITLE 15. REVENUE**

**CHAPTER 7. DEPARTMENT OF REVENUE  
BINGO SECTION**

**ARTICLE 2. GENERAL PROVISIONS**

Section

R15-7-213. Verification of ~~winning cards~~ Winning Cards

**ARTICLE 2. GENERAL PROVISIONS**

**R15-7-213. Verification of ~~winning cards~~ Winning Cards**

- A.** ~~At the time a bingo is called by any player, the bingo worker shall verify whether the player's card has a winning bingo pattern in the presence of a disinterested player. Except as provided in subsections (A)(1) and (A)(2), the bingo worker shall verify a combination of all bingo patterns except the cover all. For the cover all pattern, the bingo worker may call all of the numbers not called during play of the game.~~ After a player has announced "bingo" during a bingo game, a bingo worker shall verify the numbers on the winning card in the presence of a disinterested player. The bingo worker shall verify a combination of all bingo patterns except the cover all. For the cover all pattern, the bingo worker may call all of the numbers not called during play of the game.
1. If a licensee's bingo equipment is manufactured to automatically verify winning bingo patterns, a bingo worker shall verify a winning bingo pattern by announcing the card identification number.
  2. For the cover-all bingo pattern, the bingo worker may announce the numbers not called during the bingo game.
- B.** ~~There shall be no more than one winning pattern verified per bingo card per game. A bingo worker shall verify only one winning bingo pattern on a card per game.~~ A bingo worker shall verify only one winning bingo pattern on a card per game.